

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
NO. 1:15-CV-00399-TDS-JEP**

SANDRA LITTLE COVINGTON, *et al.*,

PLAINTIFFS,

V.

THE STATE OF NORTH CAROLINA, *et al.*,

DEFENDANTS.

**CONSENT MOTION FOR
THIRTY-DAY EXTENSION OF
TIME TO FILE MOTION FOR
ATTORNEYS' FEES AND COSTS**

NOW COME Plaintiffs, by and through their undersigned counsel, and pursuant to Fed. R. Civ. P. 6(b) and LR 6.1(a), move this Court for a thirty-day extension of time to file their motion for attorneys' fees and costs as to the merits of this case (and excluding any fees or costs for the remedial portion of the case). In support of this motion, Plaintiffs show the Court as follows:

1. Plaintiffs are the prevailing parties in the merits of this action. *Covington v. North Carolina*, 316 F.R.D. 117 (M.D.N.C. 2016) (ECF 191), *aff'd*, 137 S. Ct. 2211 (2017).
2. Plaintiffs' Amended Complaint, ECF No. 11 at 11, 93, requests an award of attorneys' fees and costs pursuant to 42 U.S.C. § 1988. Plaintiffs are also entitled to recover their taxable costs in this action. 28 U.S.C. § 1920; Local Rule 54.1.
3. By Plaintiffs' calculation, their motion for fees and costs as to the merits is due February 20, 2018. *See* August 31, 2017 Order (ECF 183) (granting extension of

time to file motion for fees and costs pertaining to the final judgment on the merits until 30 days after this Court's final remedial order).

4. Plaintiffs' counsel are diligently working on their motion for attorneys' fees and costs, but due to demands of other cases, have been unable to finalize those figures and meet with Defendants' counsel pursuant to LR 54.2.

5. Plaintiffs' counsel have consulted with Defendants' counsel, who consent to this extension of time.

6. The parties believe that having additional time to address the issue of fees and costs may allow the parties to reach resolution without court action and avoid the needless expenditure of time for the Court and for counsel.

7. In support of this Motion, in compliance with Local Rules 5.3(f)(2) and 7.3(j), Plaintiffs submit the accompanying Proposed Order.

WHEREFORE, Plaintiffs respectfully request that the deadline for their motion for fees and costs be extended 30 days, until March 22, 2018.

Respectfully submitted, this the 13th day of February, 2018.

POYNER SPRUILL LLP

SOUTHERN COALITION FOR SOCIAL
JUSTICE

/s/ Edwin M. Speas, Jr.

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this date I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will provide electronic notification of the same to all counsel and parties of record.

This the 13th day of February, 2018.

/s/ Edwin M. Speas, Jr.

Edwin M. Speas, Jr.